


4/3/19

4:31 P.M.

Chapter No. 935
19/HR43/R2201
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HOUSE BILL NO. 1724

Originated in House  Clerk

HOUSE BILL NO. 1724

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GAUTIER, MISSISSIPPI, TO ENTER INTO LONG-TERM AGREEMENTS RELATED TO THE FINANCING AND DEVELOPMENT OF THE SINGING RIVER MALL SITE AND RELATED ANCILLARY FACILITIES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. As used in this act, the following terms shall have the following meanings unless a different meaning is clearly indicated by the context in which they are used:

(a) "City" means the City of Gautier, Mississippi.

(b) "Singing River Mall site" means real property within the City of Gautier comprising approximately eighty-eight (88) acres more accurately identified by Jackson County, Mississippi, Parcel Identification Numbers 82435270.100, 82435270.109, 82435270.101, 82435270.107, 82435270.040 and 82426590.020.

(c) "Developer" means an individual, partnership, limited liability company or corporation with demonstrable experience with similar projects, including structuring and

securing a variety of public and private financings, turnkey developments or redevelopment projects, including, but not limited to, retail stores, full-service hotels, offices, medical facilities, commercial space, residential properties and other related properties, as well as ownership, management and operation of such properties.

(d) "Governing authorities" means the mayor and council members of the city.

(e) "Site" means the Singing River Mall site.

(f) "Project" means development or redevelopment projects to be undertaken at the Singing River Mall site, including, but not limited to, construction, management, operation, ownership, leasing and maintenance of retail stores, full-service hotels, offices, medical facilities, commercial space, residential properties and other related properties, and which may be part of an urban renewal project under Title 43, Chapter 35, Mississippi Code of 1972, as amended from time to time.

SECTION 2. The city, acting through its governing authorities, is authorized and empowered to acquire by purchase, lease or other means the site.

SECTION 3. The city, acting through its governing authorities, is authorized and empowered to negotiate and to enter into an agreement or agreements with any developer whereby the developer will agree to acquire, construct, develop, manage,

operate and/or own the project or any portion thereof.

Thereafter, the city, acting through its governing authorities, may execute such contract and deliver deeds, leases and other instruments and take all steps necessary to effectuate such contract or contracts. Prior to entering into such an agreement or agreements, the city shall find that the entry of such contract or contracts is in the best interest of the public and shall place such finding in its minutes.

SECTION 4. The city, acting through its governing authorities, is authorized and empowered to sell, lease, trade, exchange or otherwise dispose of the site and/or the improvements thereon owned by the city in connection with the project, upon such terms and conditions as the city deems necessary and proper, including the authority and power to enter into a binding lease agreement, management contract or other such agreement related to the project, for a term not to exceed seventy-five (75) years concerning all or any portion of the project. The city is further authorized to enter into such agreements to sell, lease, trade, exchange or otherwise dispose of the site and/or the improvements thereon owned by the city in connection with the project, for consideration less than fair market value, the sufficiency of such consideration being within the sole discretion of the city. Prior to entering into any agreement involving consideration which is less than fair market value, the city must first determine and find that the proposed development and/or redevelopment will

create economic growth in and surrounding the site, and that the city will realize economic, social and community benefits from the development and/or redevelopment, and the city shall place these findings in its minutes. The city is further authorized to acquire by gift, purchase or otherwise any real property and/or improvements thereon and to own, hold, maintain, control and develop such real property, including the site and/or the improvements thereon, for any purpose in connection with the project, including the authority and power to enter into a binding lease agreement, management contract or other such agreement related to the project for a term not to exceed seventy-five (75) years concerning all or any portion of the project.

SECTION 5. In the event the city elects to issue bonds to finance the acquisition, development, construction, ownership or operation of the project, including the site, then bonds issued shall never constitute an indebtedness of the city within the meaning of any state constitutional provision or statutory limitation, including, but not limited to, the limitation on indebtedness imposed by Section 21-33-303, Mississippi Code of 1972.

SECTION 6. This act shall be deemed to be full and complete authority for the exercise of powers granted under this act and shall not be in derogation of any existing law of this state, but shall be considered additional, supplemental and alternative to any other authority granted by law.

SECTION 7. This act shall take effect and be in force from and after its passage.

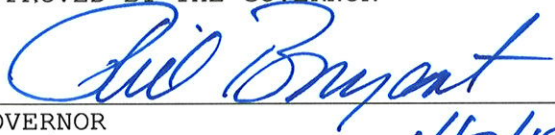
PASSED BY THE HOUSE OF REPRESENTATIVES
March 20, 2019


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 26, 2019


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

4/3/19 4:31pm